

Committee: Jay Boyar, Kelly Cameron, Kernan Chaisson, Yen-Ju Chen, Trish Evans, David Friedman, Grant Moy, Gabriel Nmah, Suzanne Weiss, Noreene Wells

Absent: Nat Finkelstein, Joy Ragsdale, Ben Wu

Cable Office:: Amy Wilson, Andrea Gardner, Keith Watkins

Guest/s: Richard Turner

1. **Call to Order/Approval of Agenda, Introduction** Meeting began at 7 pm with introductions. Minutes: April and May meeting minutes were approved unanimously Mark Berman made the motion to approve them together.
2. **Update on Customer Service and MFP Report,**
Marjorie Williams, County Cable Office, Program Manager II
 - Marjorie distributed and reviewed the customer service compliance reports for all three providers. The county has been working with Comcast for the past two years and there have been some positive trends. They are still out of compliance with the transfer time from the automated machine to a live representative but are making improvements. Comcast is changing the hours to more of a business hour time frame for billing and sales. They will be taking service calls twenty four hours, seven days a week. RCN's numbers are back up and they are in compliance. Verizon does reporting regionally and this is their first quarter report of 2008 that is specific to Montgomery County only. Verizon's numbers with regard to installations which should be completed within seven days are currently at 65% when they supposed to at 95%, due to the over whelming volume of customers who want service. They will not be fined, this is their first report and we will give them the time frame needed to get up to speed. Verizon is gaining an overwhelming amount of subscribers and are not yet able to keep up with the demand. Unlike Comcast and RCN whose installers are contracted out, Verizon's installers are in house.
 - Suzanne asked what the difference is between the factual report and the statistics produced by Keith. The statistics produced by Keith Watkins are based only on the call trends and not related to the compliance information provided by the cable franchises. Suzanne asked if for the purposes of MFP whether there some way to put quantities with these numbers so that they have a bit more meaning. Margie responded this information is considered proprietary information and the franchises are protected by the FCC. Mark asked if there is a third party audit done and do the franchises certify the accuracy of the numbers. Mark elaborated further on an experience he recently had. Discussion ensued. Margie responded they are certified by each individual franchise this is done by a signature on each page of the submitted report. David inquired if Marjorie was aware how billing is handled when a customer is out of service and how that customer is credited. Margie responded the responsibility is on the customer to inform Comcast on how long there has been an outage. Marjorie added the only complaint the Cable Office is currently responding to relates to a promotion relating to Verizon's inability to provide customers with the free flat screen TV which was due to them as long as they met the requirement of purchasing the bundled package by a specific date. Verizon is currently addressing the issue. Noreene asked about the issue with Takoma Park and the cable transmitter boxes. Residents have contacted and requested Comcast to come out to

resolve this issue. Noreene asked if the county was being charged for each visit made by Comcast. The Cable Office is aware of problem and Amy is working with Comcast to resolve this. Comcast's visit to resolve this type of problem is covered under the franchise agreement.

3. Staff Reports, Budget and Questions

Cable Office: Amy Wilson, Acting Cable Manager, Administration and Franchising Services, June Cable Office Report attached

- There is no update with regards to the hiring of a Cable Administrator since the last meeting. The position is open until filled and is still being advertised. The Cable Office is busy wrapping up FY08 and are moving into FY09 and just received information on FY10. The Consumer Rights brochure which was put together by the Cable and Communications Advisory Committee has been finalized and forwarded for reproduction. Copies are being sent to the County Fair, Public Information Office, the libraries and the Cable Office. The County will have a booth will be set up at the MACO conference with the focus on the digital transition. A representative from the FCC will also be present.
- The work session with MFP Committee of the Council is scheduled to take place this coming Monday. The only two items up for discussion on the agenda are the quarterly review and the cable fund policy. The packet has been sent to the analyst and a link will be sent out to the committee at the end of the week. The Council will be getting a new analyst starting this July and his name is Dr. Costis Toregas. He has a background in Information Technology and since the Cable Office is part of the Department of Technology Services and the budgets are reviewed at the same time, the Cable Office is being shifted to Dr. Toregas. The quarterly testing and inspection results from all three franchises were distributed and was included in the report sent to Council. Under the Verizon report, the City of Rockville did come to an agreement and are on the Council's July 28th agenda to begin some time in August.
- Yen asked for an update regarding the agreement with Gaithersburg and Verizon. Amy responded that we do not franchise the city of Gaithersburg. Verizon has to rebuild the entire wire center in Gaithersburg and that is why there is a delay. No updates received to date. Kelly inquired about the figures relating to the Comcast 1st Quarter outstanding violations and what was being done to correct these violations (hanging wires, bad grounding etc). Kelly then asked what fines the cable franchise would incur due to non compliance. Amy responded at this time she did not have 2nd quarter reports. Once re-inspections are completed for the second quarter we would then be able to see if the violations were corrected. She further clarified these were construction violations and provided examples. Amy clarified the two types of violations; the standard violation which should be corrected within thirty days and the safety violation which must be corrected within seven days.
- CCM (County Cable Montgomery) has received most of the ordered equipment for this fiscal year and installation of that equipment has begun. Part of the installation is included in the renovation of the third floor council hearing room which will include enhancing the audio and video systems. Design of file server storage and the development standard operating procedures in progress. PEG annual staff training day is taking place today with 76 staff and managers attending, Amy distributed a list

of topics discussed. The manager's retreat also took place this month and Amy is still awaiting reports on discussions. The county was awarded the NACO Award for the Production Vehicle. David inquired who covers the cost of the gas for the production vehicle. Amy responded this would be covered under the cable fund and the cost of the fuel would not impact the budget that much. Noreene inquired about rental of equipment of strips used to cover wires and a past discussion on how expensive it was to rent the strips as opposed to purchasing them. Amy responded she could not speak to this issue at this time and will follow up with Donna Keating. Suzanne requested an update on the FCC and asked that the committee receive continuous updates. No update on Effective Competition and it could be years before we get one. The FCC has gone through and cleared out a back log of filings that franchising authorities did not challenge. It is possible to have information next month or in a year but the longer it takes to get the decision the better it would be for us.

- Keith Watkins, Investigator, Cable Office, provided the committee with an update on complaints received in the Cable Office.
- Richard Turner, MCT and PEG Network, distributed a copy of a response he received from Comcast regarding (channels 19 and 21) and the question on whether they were adequately promoting the program line up for the PEGs. He also shared a screen shot of the Comcast channel line up and a screen shot of the TV guide showing the channels listed correctly. Channel 21 on Comcast the web site is listed correctly but there is still not a clear distinction for Channel 19. Suzanne indicated that she and Keith had attempted to get answers from Comcast on this same issue and received the same response. Amy added that there is no obligation listed in the franchise agreement relating to the program guide. MCT is currently in the process of conducting a phone viewer survey which is being sent to approximately five hundred cable subscribers to test their awareness of our channel and to find out if they use the interactive programming guide in addition to their sense of value regarding our programming. David suggested repeating the survey when the school year begins because it would be an opportunity to capture more individuals who actually use the service whereby making a better case with Comcast. Amy inquired as to who was actually doing the survey. Richard responded an outside firm is being used to do the design and do the phone calls and the results will be completed by August. Richard noted that the Alliance for Committee Media is meeting in Washington DC on July 9, 10 & 11 for their annual conference and they cover a wide variety of issues. There are three award winning productions from Access Montgomery which will be awarded at this conference. Mark asked if Comcast had an obligation to provide a program listing. Suzanne asked if there is a group who could address this issue. Mark asked if the committee could send a letter to Comcast regarding this issue. Amy asked that a draft of this letter be sent to the Cable Office but the committee should note that this is not a requirement of the franchise agreement. Suzanne suggested we address this letter to all three providers. A motion was made to ask the Cable Office to forward a drafted letter from the committee to all three providers reinforcing our request that full PEG information be provided to subscribers in both television and online guides. Mark agreed to draft this letter, with help from Richard.

4. Unfinished Business and Committee Reports

- DTV Transition - Update: Kernan spoke to the topic of Digital Transition, the cost of the set top boxes, his experience on the purchasing and installing the set top box in addition to the importance of bringing awareness to the public that the set top boxes and coupons are available to them now as opposed to waiting until February 17th 2009. He indicated that it was simple to set up and provided information such as channel designations and some program content.
- Suzanne Weiss, Committee Chair, Suzanne inquired on the status of the applicant. Mark responded that the interview was conducted. Suzanne also inquired about the committee members whose terms will be expiring in November. Keith will look into those members who would be eligible for reappointment and the requirements. Suzanne asked if everyone to be sure that they had submitted reimbursements. Andrea will send out the attendance spread sheet to the committee. Suzanne reminded the group that we will not be meeting during the months of July and August. She also asked them to give some thought to who we would like to host and also to think of the possibility of moving the meeting to the new venue. Amy reminded the group that the Cable Office would need as much advance notice in order to find a meeting location. Mark added that we also need to be mindful because the meetings have to be posted publicly. Suzanne encourage committee members to attend the June 30th MFP work session in support of the Cable Office and the CCAC. The committee agreed to change meeting dates for the months of November and December to November 20th and December 10th. The Cable Office will update the web info for these changes.
- Mark announced that he would be doing a monthly closing summation at Suzanne's request.
 - A drafted letter will be sent to the cable office to be sent to the cable franchises regarding the PEG channels.
 - Keith will investigate and report back the requirements for re-application for committee members whose terms are expiring.
 - Committee members are tasked with deciding who we should host and where to meet.
 - The November and December meeting dates have been changed to November 20th and December 10th.

5. & 6. New Business and Public Comments none presented

- 7. Adjourn.** Meeting adjourned at 9:10 pm Next CCAC meeting Wednesday, September 24 7pm